

Appln. No. 09/857,383
Amendment dated February 9, 2006
Reply to Office Action of October 11, 2005
and Advisory Action of December 29 2005

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The October 11, 2005 Final Office Action and the Advisory Action dated December 29, 2005 have been carefully considered. In response, claims are cancelled and amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

Inasmuch as the present amendment raises no new issues for consideration, and in any event, places the present application in condition for allowance or in better consideration for consideration on appeal, its entry under the provisions of 37 CFR 1.116 are respectfully requested.

INTERVIEW

The courtesy of Examiner Worjloh in granting an interview in connection with this application is acknowledged and appreciated. Prior to the interview Applicant's attorney, Robert Michal, provided proposed amended claims for the Examiner's consideration. During the interview the proposed claim amendments were discussed and Examiner Worjloh agreed that the claim amendments

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would be entered and that the amendments place the application in condition for allowance.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claim 8 is allowed is acknowledged and appreciated. Claim 8 is amended herein to place the claim in better form for allowance. The amendments to claim 8 are not related to the patentability of the claim.

CLAIM OBJECTIONS

The Examiner's indication that claims 4 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims is acknowledged. In response, the dependency of claim 4 is changed from "3" to -- 1 -- in view of the cancellation of claim 3. Claims 4 and 7 are not amended to be in independent form in view of the asserted allowability of claim 1 upon which claims 4 and 7 ultimately depend. Applicant reserves the right, however, to place claims 4 and 7 in independent form at a later time.

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PRIOR ART REJECTIONS

In the Office Action claims 1, 3 and 9 are rejected under 35 USC 103 as being unpatentable over USP 6,175,921 (Rosen) in view of the USP 6,026,375 (Hall et al.). Claim 2 is rejected under 35 USC 103 as being unpatentable over Rosen and Hall et al., and further in view of U.S. Publication No. 2002/0004783 (Paltenghe et al.). Claims 5 and 6 are rejected under 35 USC 103 as being unpatentable over Rosen and Hall, and further in view of U.S. Publication No. 2003/0140007 (Kramer et al.).

In response, claim 1 is amended to include limitations from claim 8 which has been indicated by the Examiner to be in form for allowance. Amended claim 1 now more clearly includes limitations which are not disclosed, taught or suggested in the cited references. In view of the amendment of claim 1, reconsideration and withdrawal of the rejection of claim 1 under 35 USC 103 are respectfully requested.

Claims 2 and 3 are cancelled in view of the amendments made to claim 1.

Other minor amendments are made to claim 1 to place the claim in better form for allowance. These amendments to claim 1 are not related to the patentability of the claim.

Claim 5 is amended to place the claim in better form for allowance.

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Dependent claims 4-7 are patentable over the prior art in view of their dependence on claim 1 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 4-7.

Claims 9 and 10 are amended to correspond to claim 1. Claims 9 and 10 are directed to a data processing device which now include limitations included in claim 1. Claims 9 and 10 are patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1.

Claim 11 is cancelled thereby the rejection of claim 11 moot.

In view of all of the foregoing, claims 1 and 4-10 are in form for immediate allowance, which action is earnestly solicited.

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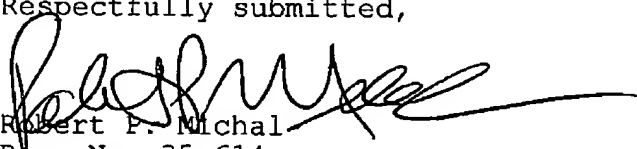
Entry of this Amendment under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl: Petition for Extension of Time